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APPLICATION NO.	FILED DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/495,141	01/31/2000	Mark J. Hampden-Smith	SMP-023-2-1	4450
7590	01/13/2005		EXAMINER	
David F. Dockery MARSH FISCHMANN & BREYFOGLE LLP 3151 S. Vaughn Way, Suite 411 Aurora, CO 80014			TALBOT, BRIAN K	
			ART UNIT	PAPER NUMBER
			1762	

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/495,141	HAMPDEN-SMITH ET AL.
Examiner	Art Unit	
Brian K Talbot	1762	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 26 October 2004.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 12-20 and 24-38 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 12-20 and 24-38 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

1. The response filed 10/26/04 has been considered and entered. Claims 12-20 and 24-38 remain in the application.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

3. Claims 12-15,17-20,25-29,37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda et al. (5,644,193) in combination with Oshima et al. (5,932,139).

Matsuda et al. (5,644,193) teaches a phosphor coating for cathode ray tubes, fluorescent lamps and radiation screens. The phosphor coating suspension includes spherical particles having an average particle size of from 0.5-20 microns. The phosphor particles can be oxides or sulfide of phosphor. The coating can be applied by syringe injection.

Matsuda et al. (5,644,193) fails to teach that the coating can be applied by ink-jet in an x-y fashion.

Oshima et al. (5,932,139) teaches phosphor particles applied by ink-jet printing. Therefore, it would have been within the skill of one practicing in the art to have modified Matsuda et al. (5,644,193) process by forming the phosphor coating with hollow particles and applying the coating by ink-jet as evidenced by Oshima et al. (5,932,139) because of the expectation of achieving similar results.

While the Examiner acknowledges the fact that Matsuda et al. (5,644,193) in combination with Oshima et al. (5,932,139) fail to specifically teach the syringe or ink-jet coating being controllable in an x-y grid, it is the Examiner's position that this would have been an inherent function of ink-jet printing and an automated syringe. It is further noted that these are the same coating techniques claimed and hence the Examiner can draw no other conclusion as to this limitation. If Applicant disagrees, Applicant is invited to supply a showing or reasoning why the claimed ink-jet and syringe are x-y controllable and that the prior art's same devices are not.

Claims 16,24,30-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda et al. (5,644,193) in combination with Oshima et al. (5,932,139) further in view of Chadha (5,662,831).

Matsuda et al. (5,644,193) in combination with Oshima et al. (5,932,139) fail to teach coating being performed on a flat panel display.

Chadha (5,662,831) teaches luminescent phosphor coating on articles such as field emission displays and plasma displays and articles relating thereto (col. 1, lines 10-13 and col. 2, lines 40-42). Particles sizes of less than 3 microns and liquid medium including water, alcohols, etc. is taught.

Therefore, it would have been obvious at the time the invention was made for one skilled in the art to have had a reasonable expectation of achieving similar success for performing the phosphor coating process of Matsuda et al. (5,644,193) in combination with Oshima et al. (5,932,139) on a FED or PDP as evidenced by Chadha (5,662,831).

Response to Amendment

4. Applicant's arguments filed 10/26/04 have been fully considered but they are not persuasive.
5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian K Talbot whose telephone number is (571) 272-1428. The examiner can normally be reached on Monday-Friday 6AM-3PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive P Beck can be reached on (571) 272-1415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



1/12/08

Brian K Talbot
Primary Examiner
Art Unit 1762

BKT